

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zev Carter	Team: Squad #3	CCRB Case #: 202006873	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 09/28/2020 9:55 PM	Location of Incident: In front of 354 Kingsborough 3rd Walk	Precinct: 77	18 Mo. SOL 3/28/2022	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 09/29/2020 3:43 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 10/15/2020 11:18 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Sean Gaynor	03981	951766	PSA 2
2. POM Jason Kwan	10201	961874	PSA 2
3. Officers			PSA 2

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Griffin Rosen	31291	954298	PSA 2
2. POM Joseph Gonong	24373	963050	PSA 2
3. POF Jocelyn Sosa	18591	968820	PSA 2

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers stopped the vehicle in which § 87(2)(b) was an occupant.	
B. POM Jason Kwan	Abuse: Police Officer Jason Kwan frisked § 87(2)(b) McIntosh.	
C. Officers	Force: Officers used physical force against § 87(2)(b)	
D. SGT Sean Gaynor	Force: Sergeant Sean Gaynor used a taser against § 87(2)(b) McIntosh.	

Case Summary

On September 29, 2020, Sergeant Sean Gaynor of PSA 2 filed this complaint with IAB (log #2020-22768) over the phone on behalf of § 87(2)(b). The CCRB received this complaint on October 15, 2020. The undersigned investigator received this complaint on October 16, 2020.

§ 87(2)(b)'s arrest report associated with the incident contained an address and a phone number. On October 16, 2020, the investigator called the phone number listed on § 87(2)(b)'s arrest report for the first time and left a message requesting a call back. On the same day, a Lexis Nexis public records search did not reveal any additional contact information for § 87(2)(b). On the same day, a CLEAR search revealed two additional phone numbers and four additional mailing addresses. On the same day, the investigator called § 87(2)(b) at the first of these phone numbers. An individual who answered the phone stated that it was the wrong number. On the same day, the investigator called § 87(2)(b) at the second number. The number was busy. On October 22, 2020, the investigator called § 87(2)(b) a second time at the number listed on his arrest report and spoke to his aunt who identified herself as "§ 87(2)(b)". The investigator left his name and number with her to give to § 87(2)(b). On the same day, the investigator called § 87(2)(b) a second time at the remaining number from the CLEAR search. The number was busy again. On October 23, 2020, § 87(2)(b) called from an unknown number. He provided a new phone number, mailing address, and email address as his contact information, confirmed that he was facing criminal charges related to the incident, and provided his criminal defense attorney's phone number. § 87(2)(b) chose to speak to his attorney before giving a statement. Between November 4 and 12, 2020, the investigator called § 87(2)(b) three times on his confirmed number. Each time, § 87(2)(b) stated that he informed his attorney that he had an open CCRB complaint regarding the incident and was expecting his attorney to contact him and the investigator. On November 25, 2020, § 87(2)(b) returned the undersigned's call from that day and stated that his attorney did not want him to provide a statement due to his open criminal case. The investigator informed § 87(2)(b) of the reopen procedure at the conclusion of his criminal case and the 18-month statute of limitations.

§ 87(2)(b), § 87(2)(g)

Squad No.: 3

Investigator:	<u>Zev Carter</u>	<u>Investigator Zev Carter</u>	<u>12/08/2020</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Olga Golub</u>	<u>SL Olga Golub</u>	<u>12/08/2020</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date